

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**955 CIVIL APPLICATION NO.603 OF 2023
IN FA/457/2022**

**JANKIRAM S/O ANANDA LOKHANDE DIED THR LRS
KALABAI J.LOKHANDE AND ORS
VERSUS
EX. ENGINEER, MINOR IRRIGATION DIV. 1 AURANGABAD
AND ANR**

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Advocate for Applicants : Mr. D. A. Bide
AGP for Respondent No.2: Mr. A. B. Chate
Advocate for Respondent No.1 : Mr. V. C.Solshe

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 31/01/2023.**

P. C. :

1. Heard rival submissions.
2. The applicants are seeking withdrawal of the entire amount of compensation, which has been deposited by the acquiring body alongwith the interest before the executing court i.e. CJSD, Aurangabad in LAR NO.239 of 2012.
3. Thus, it would be appropriate to dispose of this application with directions to the aforesaid executing court as follows :
 - i) The applicants are at liberty to file withdrawal application before the executing court and on filing such application, the

executing court shall decide the same on its own merit.

- ii) The conditional order passed by this court on 25/02/2022 shall not be an impediment in passing order by the executing court on such withdrawal application.
- iii) With these directions, the application for withdrawal is disposed of.

(SANDIPKUMAR C. MORE, J.)